STATE OF ILLINOIS

ORIGINAL

ILLINOIS COMMERCE COMMISSION

ILLINOIS COMMERCE COMMISSION

2001 OCT 15 P 2: 19 mg/

CHIEF OF EDING ALCIAN

GALLATIN RIVER COMMUNICATIONS L.L.C.	SINE OLLIN SUFFICE
AND TMP Corp.)
Joint Petition for Approval of Negotiated)
Interconnection Agreement) NO 26 MOTT
Pursuant to 47 U.S.C. § 252) NO. 06 <u>VQ </u>

VERIFIED JOINT PETITION FOR APPROVAL OF NEGOTIATED INTERCONNECTION AGREEMENT BETWEEN GALLATIN RIVER COMMUNICATIONS L. L. C. AND TMP Corp.

Gallatin River Communications L.L.C. ("Gallatin") and TMP Corp. ("TMP") hereby request that the Commission review and approve the attached CMRS Interconnection Agreement between Gallatin and TMP (the parties), pursuant to Sections 252(a)(1) and 252(e) of the Telecommunications Act of 1996, 47 U.S.C. §§ 252 (a)(1) and 252(e), (the "Act"). The parties, in support of their request, state as follows:

1. Petitioners Gallatin and TMP are each a telecommunications carrier within the meaning of Section 13-202 of the Universal Telephone Service Protection Act of 1985, 220 ILCS 5/13-100, et seq., and each is authorized to provide telecommunications service to customers in Illinois.

- 2. The Agreement was arrived at through good faith negotiations between the parties as contemplated by Section 252(a) of the Act and provides for the interconnection of their networks for the transmission and termination of traffic on each other's networks.
- 3. Section 252(e)(2) of the Act provides the basis for rejection of a negotiated Agreement: (1) the Agreement discriminates against another carrier or (2) implementation of a negotiated Agreement would not be consistent with the public interest, convenience and necessity. Neither basis for rejection is present here.
- 4. As set forth in the attached Verified Statement of Steve Murray, Gallatin will make the Agreement available to any other telecommunications carrier operating within its territory. Other carriers are also free to negotiate their own terms and conditions pursuant to the applicable provisions of the Act. For this reason, the Agreement is not discriminatory.
- 5. In addition, the Verified Statement of Steve Murray demonstrates that implementation of the Agreement is consistent with the public interest because it will promote competition and enhance the ability of TMP to provide Illinois telecommunications users with a competitive alternative for telecommunications services.
- 6. In accordance with Section 252(e)(4) of the Act, the Agreement will be deemed approved if the Commission does not act to approve or reject the Agreement within 90 days from the date of this submission.

- 7. Copies of the Agreement are available for public inspection in Gallatin's public offices.
- 8. Gallatin agrees to accept electronic service of documents associated with this proceeding.

WHEREFORE, Gallatin and TMP respectfully request that the Commission approve the attached Interconnection Agreement, between Gallatin and TMP under Section 252(e) of the Act as expeditiously as possible.

Respectfully submitted this ___ day of September, 2006.

GALLATIN RIVER COMMUNICATIONS L.L.C.

TMP Corp.

David O. Rudd

Attorney for Gallatin River Communications L.L.C.

625 South Second Street

Springfield, Illinois 62704

217/744-7420

dorudd@aol.com

STATE OF Thins	_)
COUNTY OF Adams) ss.

is <u>Director of Wire less Operations</u> for TMP Corp. and that he is authorized by TMP to make this verification; that he has read the above and foregoing Joint Petition for Approval of a Negotiated Interconnection Agreement, between Gallatin and TMP and knows the contents thereof; and that said contents are true to the best of his knowledge, information, and belief.

Craig M France

Subscribed and sworn to before me, a notary public for the State of <u>Illinois</u> this <u>26th</u> day of <u>Systember</u>, 2006.

"OFFICIAL SEAL"
DAVID D. MOORE
Notary Public, State of Illinois
My Commission Expires 04/24/07

Notary Public

My commission expires:

STATE OF ILLINOIS)	
)	ss.
COUNTY OF)	

David O. Rudd, being first duly sworn, deposes and states that he is an attorney for Gallatin River Communications L.L.C. and that he is authorized by Gallatin River Communications L.L.C. to make this verification; that he has read the above and foregoing Joint Petition for Approval of a Negotiated Interconnection Agreement between Gallatin and TMP, and knows the contents thereof; and that said contents are true to the best of his knowledge, information, and belief.

David O. Rudd, Esq.

Subscribed and sworn to before me, a notary public for the State of Illinois this _/6th _day of ______, 2006.

Notary Public

OFFICIAL SEAL
MERI L. SANDERS
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES 7-19-2007

My commission expires:

STATE OF ILLINOIS

ILLINOIS COMMERCE COMMISSION

GALLATIN RIVER COMMUNICATIONS L.L.C	2.	
AND TMP Corp.)	
)	
)	
)	
Joint Petition for Approval of Negotiated)	
Interconnection Agreement)	
Pursuant to 47 U.S.C. 8 252) NO. 06	

STATEMENT IN SUPPORT OF JOINT PETITION FOR APPROVAL

I, Steve Murray, in my capacity as Director of Regulatory Affairs for Gallatin River Communications L.L.C. ("Gallatin"), hereby submit this Statement in Support of the Joint Petition for Approval of a Negotiated CMRS Interconnection Agreement between Gallatin and TMP Corp. ("TMP").

The attached CMRS Interconnection Agreement ("the Agreement"), including provisions for collocation, reciproacal compensation and related telecommunications services under the Telecommunications Act of 1996 (sometimes referred to as "the Act"), between Gallatin and TMP was reached through voluntary negotiations between the parties. Accordingly, Gallatin and TMP request approval pursuant to Sections 252(a) (1) and 252(e) of the Act.

In accordance with Sections 251 and 252 of the Act, the parties engaged in good faith negotiations and an agreement was reached in September of 2006. The Agreement becomes effective the next business day following the day the Illinois Commerce Commission approves the Agreement.

The Agreement contains provisions for default and prohibits discontinuance of service without the required notice. It also includes dispute resolution provisions. It allows TMP to interconnect at one or more technically feasible points at Gallatin's Galesburg tandem.

Also, the Agreement contains alternative dispute resolution provisions, which require negotiation and arbitration. The parties are required to continue providing services to each other during the pendency of any dispute resolution proceeding. The Agreement is binding on successors and permitted assigns of the parties.

Gallatin will make the Agreement available (purusant to 252 (I) of the Act) to any other telecommunications carrier operating within its territory. Other carriers are also free to negotiate their own terms and conditions pursuant to the applicable provisions of the Act. For this reason, the Agreement is not discriminatory.

Implementation of this Agreement is consistent with the public interest because it will promote competition and enhance the ability of TMP to provide Illinois telecommunications users with a competitive alternative for telecommunications services.

STATE OF	.)	
) .	SS
COUNTY OF)	

Steve Murray, being first duly sworn, deposes and states that he is Director of regulatory Affairs for Gallatin River Communications L.L.C. and is duly is authorized by Gallatin River Communications L.L.C. to make this verification; that he has read the above and foregoing Statement in Support of Joint Petition for Approval and knows the contents thereof; and that said contents are true to the best of his knowledge, information, and belief.

Steve Murray
Gallatin River Communications
103 South 5th Street
Mebane, NC 27302
(919) 563-8109

Subscribed and sworn to before me, a notary public for the State of North CANCINAthis day of Stores Afr., 2006.



Rugh In Stewhicker Notary Public

My commission expires: 11-24-2006